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Date: February 25, 2009

Please Deliver To:

Name:

Firm: United States Patent and Trademark Office
Mail Stop Petitions

Fax: 571-273-0025

Docket Number: 13DV-14119

From: Kevin K. Jones, Reg. No.: 56,809

FAX RECEIVED

FEB 25 2009

OFFICE OF PETITIONS

DOCUMENTS SUBMITTED WITH TRANSMISSION:

1. Petition to Withdraw Holding of Abandonment Based on Failure to Receive Notice of Allowance 37 CFR 1.17(l) (6 pages including copy)
2. Affidavit (1 pages)
3. Docket Record (4 pages)


Total pages including cover page: 12

If all pages are not received, please contact Dawn Benson at (314) 621-5070 ext. 7003

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile Number 1-571-273-0025, on the date shown below.

Date: February 25, 2009


Kevin K. Jones
Registration No. 56,809

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13DV-14119
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Elizabeth Anne Earley, et al.

Serial No.: 10/072,391

Filed: February 5, 2002

For: DIGITAL COCKPIT

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Art Unit: 2166

Examiner: Woo, Isaac M.

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FEB 25 2009

OFFICE OF PETITIONS

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON
FAILURE TO RECIEVE NOTICE OF ALLOWANCE**

Mail Stop: Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants hereby petition to withdraw the holding of abandonment in the above-referenced Utility Patent Application for failure to receive a Notice of Allowance. Specifically, our office did not receive the Notice of Allowance mailed by the U.S. Patent and Trademark Office ("PTO") to Applicants on October 14, 2008. Applicants' first notification that the PTO had mailed the Notice of Allowance was the receipt of the Notice of Abandonment, dated February 10, 2009, for failing to timely pay the issue fee. The following authorization and statements are provided in support of this Petition, Applicants state:

1. A search of the file jacket and the docket records in the attorney's office indicates that this Notice of Allowance was not received. Attached, is an affidavit by the undersigned, Robert B. Reeser, III, attorney with Armstrong Teasdale LLP, attesting that upon examination of the application's file jacket and docket records, Applicants' file indicates the last correspondence received from the PTO is the Advisory Action dated August 27, 2008, which was received and docketed by

13DV-14119
PATENT

Applicants on September 2, 2008, and does not include the Notice of Allowance, dated October 14, 2008.

2. This Petition is being filed within (2) months of the Applicants' first notification of abandonment.
3. Enclosed is a copy of a printout of the docket record where the non-received Notice of Allowance would have been entered had it been received and docketed. Applicants' understanding is that the PTO's records show that the Notice of Allowance was mailed on October 14, 2008. With a mailing date of October 14, 2008, the issue fee would have been due January 14, 2009. The enclosed docket records do not show such an action due in the present application, which has an internal reference number of 12729-188. The last entry on the enclosed docket is the filing of the request for continued examination filed on September 8, 2008.
4. Additionally, in anticipation that the Applicants' Petition will be granted, Applicants submit herewith:
 - a) authorization to charge the issue fee and publication fee is set forth below in Paragraph (5); and
 - b) authorization to charge the petition fee (37 C.F.R. 1.17(l)) is set forth below in Paragraph (5).

5. Fees:

a.	Payment of the issue fee required	\$ 1,510.00
b.	Payment of the publication fee	\$ 300.00
c.	Petition Fee (37 C.F.R. 1.17(l))	\$ 540.00
	TOTAL FEES DUE:	\$ 2,350.00

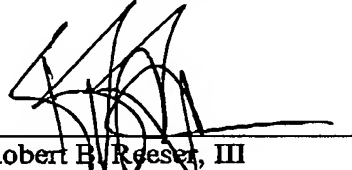
13DV-14119
PATENT

d. The Commissioner is hereby authorized to charge payment of the total fees due in the amount of \$2,350.00, any deficiencies in the enclosed fees, or credit any overpayment, to Deposit Account No. 01-2384. (A duplicate of this petition is enclosed.)

Applicants respectfully submit that Applicants' file jacket and docket report are evidence in support of the Applicants' declaration that the Notice of Allowance was never received. Therefore, Applicants respectfully request that the holding of abandonment for failure to pay the issue fee be withdrawn.

For the reasons set forth above, Applicants respectfully request that the holding of abandonment be withdrawn, or in the alternative, that the subject application be revived.

Respectfully submitted,



Robert H. Reeser, III
Registration No. 45,548
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070

13DV-14119
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Elizabeth Anne Earley, et al.

Serial No.: 10/072,391

Filed: February 5, 2002

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Art Unit: 2166

Examiner: Woo, Isaac M.

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**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON
FAILURE TO RECIEVE NOTICE OF ALLOWANCE**Mail Stop: Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants hereby petition to withdraw the holding of abandonment in the above-referenced Utility Patent Application for failure to receive a Notice of Allowance. Specifically, our office did not receive the Notice of Allowance mailed by the U.S. Patent and Trademark Office ("PTO") to Applicants on October 14, 2008. Applicants' first notification that the PTO had mailed the Notice of Allowance was the receipt of the Notice of Abandonment, dated February 10, 2009, for failing to timely pay the issue fee. The following authorization and statements are provided in support of this Petition, Applicants state:

1. A search of the file jacket and the docket records in the attorney's office indicates that this Notice of Allowance was not received. Attached, is an affidavit by the undersigned, Robert B. Reeser, III, attorney with Armstrong Teasdale LLP, attesting that upon examination of the application's file jacket and docket records, Applicants' file indicates the last correspondence received from the PTO is the Advisory Action dated August 27, 2008, which was received and docketed by

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Applicants on September 2, 2008, and does not include the Notice of Allowance, dated October 14, 2008.

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3. Enclosed is a copy of a printout of the docket record where the non-received Notice of Allowance would have been entered had it been received and docketed. Applicants' understanding is that the PTO's records show that the Notice of Allowance was mailed on October 14, 2008. With a mailing date of October 14, 2008, the issue fee would have been due January 14, 2009. The enclosed docket records do not show such an action due in the present application, which has an internal reference number of 12729-188. The last entry on the enclosed docket is the filing of the request for continued examination filed on September 8, 2008.
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 - b) authorization to charge the petition fee (37 C.F.R. 1.17(1)) is set forth below in Paragraph (5).

5. Fees:

a.	Payment of the issue fee required	\$ 1,510.00
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c.	Petition Fee (37 C.F.R. 1.17(1))	\$ 540.00
	TOTAL FEES DUE:	\$ 2,350.00

13DV-14119
PATENT

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Applicants respectfully submit that Applicants' file jacket and docket report are evidence in support of the Applicants' declaration that the Notice of Allowance was never received. Therefore, Applicants respectfully request that the holding of abandonment for failure to pay the issue fee be withdrawn.

For the reasons set forth above, Applicants respectfully request that the holding of abandonment be withdrawn, or in the alternative, that the subject application be revived.

Respectfully submitted,



Robert E. Reeser, III
Registration No. 45,548
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070

AFFIDAVIT OF ROBERT B. REESER, III

I, **Robert B. Reeser, III**, an attorney with Armstrong Teasdale LLP and Attorney of Record for Utility Patent Application identified as: **Atty. Dkt. No.: 13DV-14119; Serial No.: 10/072,391; Entitled: DIGITAL COCKPIT**; hereby certify:

a) the Notice of Allowance dated: **October 14, 2008**, was never received by Armstrong Teasdale LLP; and

c) that I was first notified of the abandonment of the above-referenced Utility Patent Application upon receipt of the Notice of Abandonment dated: **February 10, 2009**, and received by Armstrong Teasdale LLP on or about **February 16, 2009**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

Feb 25, 2009


Robert B. Reeser, III

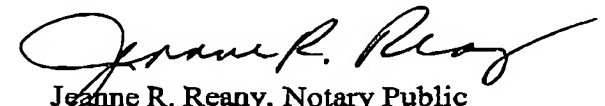
STATE OF MISSOURI)

) ss.

CITY OF ST. LOUIS)

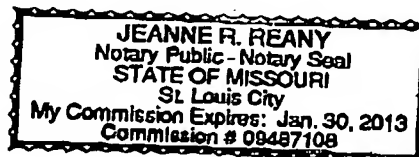
On this 25th day of February in the year 2009, before me, **Jeanne R. Reany**, a Notary Public in and for said State, personally appear **Robert B. Reeser, III**, known to me to be the person who executed the within Affidavit, and acknowledged to me that he executed the same for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the City and State aforesaid, the day and year first above written.



Jeanne R. Reany, Notary Public

My Commission Expires: January 30, 2013





Patent: 12729-00188, United States, Regular, National, Original Filing

Patent Data

Client-Matter No.	12729-00188	Attorney	William J. Zychlewicz
Country	United States	Agent	
Case Type	Regular	Client\Division	GE Aircraft Engines
Relation Type	Original Filing	Current Owner	General Electric Company
Filing Type	National	Previous Owner	
Filing Number		Client Ref. No	13DV-14119
Status	Filed	First Filing Date	2/5/2002
Sub Status		Sub Status Date	
Parent Country		Parent Filing Date	
Parent Number		Parent Grant Date	
Application Number	10/072391	Application Date	2/5/2002
Patent Number		Grant Date	
Publication Number	2003-0149682	Publication Date	8/7/2003
Assigned	Assignment Recorded	Ind. Claims\Designs	0
Convention Type		Total Claims	0
Custom Code #1		Total Classes	
TaxAgent		ConfirmationNumber	
Operating Group		Tax Base Date	
Resp Atty 1		Next Tax Date	
Resp Atty 2		Expiration Date	
Custom Party #3		Custom Text #1	
Custom Party #4		Custom Date #1	
Custom Party #5		Custom Text #2	
Custom Party #6		Custom Date #2	
Custom Party #7		Custom Text #3	
Custom Party #8		Custom Date #3	
Agent Ref No		Custom Text #4	
Custom Code #2		Custom Date #4	
Custom Code #3		Text #5	
Custom Code #4		Text #6	
Custom Code #5		Text #7	
Custom Code #6		Text #8	
Custom Code #7		Text #9	
Customer Code	AEPP	Customer Name	Armstrong, Teasdale

Title

DIGITAL COCKPIT

Description

Confirmation No. 4892

Current Expense Information

Other Case-Related Information

Actions

Action	Action Due Date	Completed Date	Responsible Atty #1	Responsible Atty #2	Action Notes
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Patent Case Print [ID 1670]

Page 2 of 4

1-Mo to Appln Completion Due Date:	6/1/2001	2/5/2002
Projected Appln Completion Date	6/10/2001	2/5/2002
Post Card Returned?	3/5/2002	2/28/2002
Formal Drawings Ordered?	3/5/2002	2/5/2002
IDS Reminder	4/5/2002	2/5/2002
Filing Receipt Received?	4/5/2002	3/14/2002
Foreign Filing Reminder 3 MO	5/5/2002	8/7/2002
Info Discl. Statement Due	5/5/2002	2/5/2002
Formal Drawings Filed?	5/5/2002	2/5/2002
Assignment back from PTO?	6/5/2002	5/14/2002
Foreign Filing Reminder 5 MO	7/5/2002	8/7/2002
LTC re Foreign Filing (6 mo.)	8/5/2002	8/7/2002
Reminder LTC re FF if instruct not recd	11/5/2002	6/2/2003
WARNING: Foreign Filing due in 1 MO!	1/5/2003	6/2/2003
Foreign File Deadline - FINAL	2/5/2003	6/2/2003
Publication 5-Mo Reminder	3/5/2003	3/14/2002
Publication 5-Mo Reminder	3/7/2003	6/2/2003
Filed/Status Check	5/5/2003	6/2/2003
Published	8/5/2003	3/14/2002
Revised Publication Date	8/7/2003	8/7/2003
Restriction Mail Dt	6/2/2004	6/7/2004
Restriction	7/2/2004	6/18/2004
Restriction-1st Ext.	8/2/2004	6/18/2004
Status Check	8/21/2004	6/7/2004

Projected application completion date is 6/10/01

Status Request filed 7/7/2003....Received Status Letter Reply indicating that it will be more than 15 months (from 8/21/2003) before this application will receive a first office action....have we heard from the PTO?

Restriction-2nd Ext.	9/2/2004	6/18/2004
Restriction-3rd Ext.	10/2/2004	6/18/2004
Restriction-4th Ext.	11/2/2004	6/18/2004
Restriction Final Deadline	12/2/2004	6/18/2004
Status Check	9/14/2005	9/15/2005
PETITION TO REVIVE	12/29/2005	1/18/2006
Status Check	2/1/2007	8/29/2006

Response to Restriction filed 6/18/2004....Status Request filed 9/16/2004....Status Request filed 3/14/2005....have we heard from the PTO?

Abandoned for failure to respond to 6/4/2004 OA...File Petition to Revive.

Response to Restriction filed 6/18/2004....Status Request filed 9/16/2004....Status Request filed 3/14/2005....Status request filed 9/15/2005 ... Petition to Withdraw the Holding of Abandonment filed 1/18/2006....Status Request filed

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Page 3 of 4

1st Office Action Mail Date	7/19/2007	7/19/2007	
Amendment Due 1- MO Reminder (1st OA)	8/19/2007	9/17/2007	Mike R. Anslinger
Amendment Filed	9/17/2007	9/17/2007	
Amendment Due 2- MO Reminder (1st OA)	9/19/2007	9/17/2007	Mike R. Anslinger
Amendment Due (1st OA)	10/19/2007	9/17/2007	Mike R. Anslinger
Status Check	10/25/2007	7/25/2007	

8/1/2006....have we heard from the PTO?

Received Decision on Petition dated 8/25/2006
Granting our Petition to withdraw holding of
abandonment.....have we heard from the PTO?

Restriction Mail Dt	10/29/2007	10/29/2007	
Amendment Due w/1-Mo. Extension (1st OA)	11/19/2007	9/17/2007	Mike R. Anslinger
Amendment Filed	11/26/2007	11/26/2007	
Restriction	11/29/2007	11/26/2007	
Amendment Due w/2-Mo. Extension (1st OA)	12/19/2007	9/17/2007	Mike R. Anslinger
Restriction-1st Ext.	12/29/2007	11/26/2007	
Last Date to Amend w/3-Mo Extension (1st OA)	1/19/2008	9/17/2007	Mike R. Anslinger
Restriction-2nd Ext.	1/29/2008	11/26/2007	
1st Office Action Mail Date	2/1/2008	2/1/2008	
Status Check	2/26/2008	2/4/2008	Mike R. Anslinger

Restriction-3rd Ext.	2/29/2008	11/26/2007	
Amendment Due 1- MO Reminder (1st OA)	3/1/2008	3/1/2008	
Supplemental IDS Due	3/1/2008	3/1/2008	

Per RBR 3/15/2008 DSR...In progress.

Notice of References Cited included with Office
Action....please review for possible IDS in related
cases.

Amended/Status Check	3/17/2008	11/1/2007	Mike R. Anslinger
Restriction-4th Ext.	3/29/2008	11/26/2007	
Amendment Due 2- MO Reminder (1st OA)	4/1/2008	4/15/2008	
Amendment Filed	4/15/2008	4/15/2008	
Restriction Final Deadline	4/29/2008	11/26/2007	
Amendment Due (1st OA)	5/1/2008	4/15/2008	
Supplemental IDS Due	5/1/2008	5/1/2008	

Per WJZ 4/7/08 DSR...Not needed....Notice of
References Cited included with Office
Action....please review for possible IDS in related
cases.

Final Rejection Mail Dt	5/16/2008	5/16/2008	
Amendment Due w/1-Mo. Extension (1st OA)	6/1/2008	4/15/2008	
Amendment Due w/2-Mo. Extension	7/1/2008	4/15/2008	

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2/23/2009

Patent Case Print [ID 1670]

Page 4 of 4

(1st OA)

Amended/Status Check 7/15/2008 5/16/2008

Res Provoke Advisory Act 7/16/2008 8/18/2008

Last Date to Amend w/3-Mo Extension (1st OA) 8/1/2008 4/15/2008

Supplemental IDS Due 8/16/2008 8/16/2008

Final Rejection Due 8/16/2008 8/18/2008

Appeal Due 8/16/2008 5/16/2008

Amendment Filed 8/18/2008 8/18/2008

RCE Application Filed 9/8/2008 9/8/2008

Final Rejection 1st Extension 9/16/2008 9/8/2008

Appeal Due w/1st Extension 9/16/2008 5/16/2008

RCE Post Card returned? 10/8/2008 9/8/2008

Final Rejection 2nd Extension 10/16/2008 9/8/2008

Appeal Due w/2nd Extension 10/16/2008 5/16/2008

FINAL REJ. DEADLINE-NO EXT AVAIL. 11/16/2008 9/8/2008

APPEAL DUE- NO EXT. AVAILABLE 11/16/2008 9/8/2008

RCE Status Check - 3/8/2009
6 Mo.

Inventors

Inventor Name	Assignment Date	Inventor
Elizabeth Anne Earley	1/31/2002	Elizabeth Anne Earley
James Geoffrey Chirumbolo	1/30/2002	James Geoffrey Chirumbolo
Kristin Sherwin Meyer	1/21/2002	Kristin Sherwin Meyer
Michael Scott Godbey	2/1/2002	Michael Scott Godbey
Thomas Paul Brady	2/1/2002	Thomas Paul Brady
Christopher Balfour Lorence	1/31/2002	Christopher Balfour Lorence
David Andrew Rice	2/1/2002	David Andrew Rice

Other Nos

Other Number	Code	Other Number	Other Number	Date
Reel & Frame #	012656/0802	2/5/2002		

CreateUser: MCC

CreateDate: 5/31/2001

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UpdateUser: evans

UpdateDate: 9/10/2008

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2/23/2009

*** RX REPORT ***

RECEPTION OK

TX/RX NO	5487
RECIPIENT ADDRESS	3146215070
DESTINATION ID	
ST. TIME	02/25 16:36
TIME USE	01'28
PGS.	12
RESULT	OK

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FEB 25 2009

OFFICE OF PETITIONS